

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0354

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DANNY SARTAIN,

Defendant and Appellant.

FILED

MAR 31 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

The Appellee, State of Montana, respectfully requests a 30-day extension of time until May 5, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on April 5, 2010, and this is the State's first extension request.

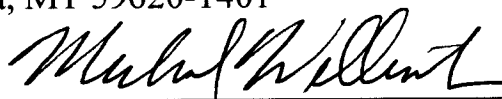
This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 31st day of March, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By:



MICHEAL S. WELLENSTEIN
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

Ms. Nancy G. Schwartz
NG Schwartz Law, PLLC
Attorney at Law
U.S. Bank Building
303 North Broadway, Ste. 600
Billings, MT 59101

Mr. Marty Lambert
Gallatin County Attorney
1709 W. College
Bozeman, MT 59715

DATED: March 31, 2010 